

FISCAL NOTE

HB 2168 - SB 2194

April 24, 2005

SUMMARY OF BILL: Increases the time limit for prosecuting violations of abusing the TennCare program by applicants, enrollees and providers from four to seven years and creates both Class E and Class D felonies for a conviction for abusing the TennCare program. The court is authorized to order restitution and the disqualification from the program of any person convicted of abusing the program.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$6,100/Incarceration*

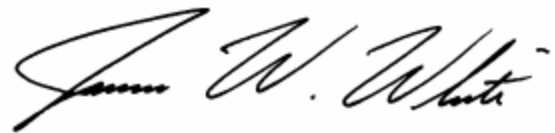
Assumptions:

- Increasing the time limit for prosecuting such violations to seven years would result in one additional Class E felony conviction every other year and one additional Class D felony every three years.
- Disqualifying a convicted enrollee is not permitted under federal regulations (Social Security Act Section 1128B(a)). The Bureau of TennCare is submitting a request to the Centers for Medicare and Medicaid Services to allow the disqualification of such individuals.

**Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years, beginning with the year the additional sentence to be served impacts the correctional facilities population.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director